

**Possible Amendments to Title 16, California Code of Regulations  
Section 3005 – Fees for Geology**

**ISSUE:**

Board Rule 3005 of the Geologist and Geophysicist Act is not in compliance with Business & Professions Code Section 7887 relating to examination fees fixed by the Board at an amount equal to the actual cost to the Board.

**HISTORY:**

The Geology Program of the Board for Professional Engineers and Land Surveyors administers two national examinations prepared by, purchased from, and graded by the National Association of State Board of Geology (ASBOG). The Geology Program contracts with ASBOG for the use of these national exams (Practice of Geology and Fundamentals of Geology examinations). These two examinations must be taken and passed along with a California Supplemental Examination (CSE) to achieve licensure as a licensed Professional Geologist in California.

Business and Professions Code Section 7887(h) states:

*“Each applicant for registration as a geologist shall pay an examination fee fixed by the Board at an amount equal to the actual cost to the board to administer the examination described in subdivision (d) of Section 7841 that shall not exceed four hundred fifty dollars (\$450).”*

The Geology Program, effective March 2011, is charged \$250 for each Practice of Geology Exam and \$150 for each Fundamentals of Geology exam. Applicants for the Practice of Geology examination, however, are currently charged \$150 (as defined by Board regulations Section 3005). The last amendment to increase this fee was made in October 2008 to increase the Practice of Geology examination fee from \$125 to \$150 to remain consistent with the fees required by ASBOG. Regulation amendments are now needed to increase the \$150 fee to \$250 to ensure compliance with Section 7887.

In addition, applicants are currently charged one fee of \$300 if they request to take the Practice of Geology exam, the Fundamentals of Geology exam, and the California Supplemental Examination at the same examination administration. This results in a loss of \$200 per applicant to the Program. The Program's expense for each of these examinations is as follows:

	Program Expense	Section 3005 Fee
Practice of Geology	\$ 250	\$ 150
Fundamentals of Geology	\$ 150	\$ 150
California Supplemental Examination	<u>\$ 100</u>	<u>\$ 100</u>
<b>Total Fees</b>	<b>\$ 500</b>	<b>\$ 400</b>

Furthermore, Section 3005(d) allows applicants who fail an exam 4 years from the date of the failed exam to retake the exam without paying an application fee. This also is not in compliance with Business & Professions Code Section 7887 because the actual cost of exam rent, tables and chairs rental, and proctor wages must be recovered from the application fee for each exam administration. The Program's examination costs recover only the ASBOG fees the Program must pay for each applicant and the cost to develop the state exams for subject matter experts and an interagency agreement with the DCA Office of Professional Exam Services (OPES).

**RECOMMENDED MOTION:**

Direct staff to proceed with a 45-day period public comment notice for proposed amendments to Board Rule 3005.

**Amend Section 3005 of Title 16 of the California Code of Regulations to read as follows:**

**§ 3005. Fees.**

(a) All fees required by provisions of the code and rules of the board shall be transmitted by money order, bank draft or check, payable to the ~~Board for Geologists and Geophysicists~~ Department of Consumer Affairs.

(b) ~~Fees.~~ The following is the prescribed application fee for: ~~schedule of fees is hereby adopted pursuant to Section 7887 of the Code:~~

(1) ~~Each application for registration as a~~ Licensure as a Professional ~~g~~Geologist or a Professional ~~g~~Geophysicist \$250.00;

(2) ~~Each application for registration~~ Certification as a specialty geologist or specialty geophysicist \$250.00;

(3) The temporary registration fee for a geologist, geophysicist or specialty geologist or specialty geophysicist \$80.00.

(4) ~~Each examination including both sections of the national examination and the California specific supplemental examination for registration as a geologist~~ \$300.00

(c) The following is the prescribed examination fee for:

(5) ~~Each examination including only t~~The p~~ractice of~~ gGeology ~~portion of the national examination for registration as a geologist~~ \$150.00 \$250;

(6) ~~Each examination including only the fundamentals of geology portion of the national examination for registration as a geologist~~ \$150.00



~~(72) Each examination including only the practice of geology portion of the national examination and the supplemental examination covering The California specific subjects for registration as a geologist examination \$250.00 \$150;~~

~~(83) Each examination including only tThe fFundamentals of gGeology portion of the national examination and the supplemental examination covering California specific subjects for registration as a geologist \$250.00 \$150;~~

~~(9) Each supplemental examination covering California specific subjects for registration as a geologist \$100.00~~

~~(104) Each eExamination for registration licensure as a geophysicist \$100.00;~~

~~(115) Each eExamination for registration certification as a specialty geologist or specialty geophysicist \$100.00;~~

~~(12d) The duplicate certificate fee \$6.00.~~

~~(13e) The renewal fee for a geologist or for a geophysicist \$270.00 is:~~

~~(141) The Certification renewal fee for a specialty geologist or for a specialty geophysicist \$67.50;~~

~~(2) Licensure for a geologist or for a geophysicist \$270.~~

~~(15f) The delinquency fee for renewal of certificate of registration licensure as a geologist or geophysicist or certification as a specialty geologist or specialty geophysicist is 50% of the renewal fee in effect on the last regular renewal date.~~

~~(eg) When transmitted through the mail, fees required under provisions of this rule shall be deemed filed on the date shown by the post office cancellation mark appearing on the envelope containing the fee.~~

~~(d) An applicant for registration as a geologist or geophysicist or an applicant for certification as a specialty geologist or specialty geophysicist who fails an examination shall pay only the examination fees pursuant to subsections (b)(4), (5), (6), (7), (8), (9), (10) and (11) to reapply to take the examination within four years of the failed examination.~~

~~{Amended, effective July 9, 2010}~~